

Project M-600-3(1) C 301 R/W
Sky Harbor Blvd - Washington St (C)
Jet I-10 - Washington St (R/W)
ST-77199.00 (City of Phoenix Project)

INTERGOVERNMENTAL AGENCIES AGREEMENT

19679

This Agreement entered into this _____ day of _____, 1978,
by and between the State of Arizona, acting by and thru its Department of
Transportation and pursuant to A.R.S. 28-108A 18, hereinafter called "State"
and the City of Phoenix, a municipal corporation, acting by and thru its
City Council and pursuant to A.R.S. 9-672B 1, hereinafter called "City";

WITNESSETH, That City has requested that State increase the capacity
of its proposed storm drainage system for State Route 143 (The Hohokam
Expressway) to allow City's 44th Street storm sewer to be connected thereto
and thereby carrying both the flow of said 44th Street storm sewer
(estimated at a capacity of 115 cubic feet per second) and the flow from
said State Route 143 to the Salt River, and

That said increase in the capacity of said storm drainage system will
result in an increase in the cost to construct same.

THEREFORE the parties hereto covenant and agree as follows:

1. State shall change the design capacity of the storm drainage system
for State Route 143 to accomodate the additional 115 cubic feet
per second flow of the 44th Street storm sewer.
2. State shall include the necessary connection between the two
systems and the larger drainage pipes needed from the point of
connection to the Salt River as part of its construction contract
for Project M-600-3(1).
3. City shall pay State the sum of SEVENTY-THREE THOUSAND EIGHT
HUNDRED NINETY-SEVEN AND NO/100 (\$73,897.00) DOLLARS which is
the estimated cost increase over the estimated cost of State's
drainage system as originally designed for the smaller capacity.
Said cost was calculated as follows:

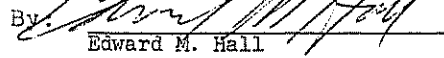
Estimated cost for enlarged system	\$172,880.00
Credit for cost of original system	- 83,528.00
Credit for relocation of 44th Street sewer	- 15,455.00
Net cost to City	\$ 73,897.00

4. This agreement shall be filed with the Secretary of State and
shall become effective on the date of such filing.

IN WITNESS WHEREOF the parties hereto have executed this agreement the
day and year first above written.

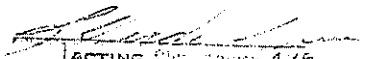
STATE OF ARIZONA

CITY OF PHOENIX
MARVIN A. ANDREWS, CITY MANAGER

By: 
Edward M. Hall
Title: Street Transportation Administrator

W. A. ORDWAY, Director
Arizona Department of
Transportation

APPROVED AS TO FORM


ACTING City Clerk

ATTEST:

CITY CLERK

STATE OF ARIZONA)
) ss.
COUNTY OF MARICOPA)

On this the _____ day of _____, 19____, before
me, _____, the undersigned Notary Public, per-
sonally appeared W. A. Ordway, Director, Arizona Department of
Transportation, known to me (or satisfactorily proven) to be the person
whose name is subscribed to the within instrument and acknowledged
that he executed the same for the purposes therein contained.

IN WITNESS WHEREOF I hereunto set my hand and official seal.

My Commission expires:

NOTARY PUBLIC

STATE OF)
) ss.
COUNTY OF)

The foregoing instrument was acknowledged before me this
28th day of February, 1978, by
Edward M. Hall, Street Transportation Administrator for Marvin A. Andrews,
City Manager, and Donna Culbertson, City Clerk

In Witness Whereof, I have set my hand and official seal.

My Commission Expires:

March 21, 1978

Deborah Paglia

Notary Public



OFFICE OF THE
Attorney General
1801 WEST JEFFERSON STREET
FOURTH FLOOR
PHOENIX, ARIZONA 85007

John A. LaSota, Jr.
~~XXXXXXXXXX~~
ATTORNEY GENERAL

INTERGOVERNMENTAL AGREEMENT

DETERMINATION

A. G. Contract No. 78-309 which is an agreement between public agencies has been reviewed pursuant to A.R.S. § 11-952, as amended, by the undersigned Assistant Attorney General who has determined that it is in proper form and is within the powers and authority granted to the State or its agencies under the laws of the State of Arizona.

No opinion is expressed as to the authority of the remaining parties, other than the State or its agencies, to enter into said contract.

DATED this _____ day of April, 1978.

JOHN A. LaSOTA, JR.
The Attorney General

PAUL S. HARTER
Assistant Attorney General